UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

                    v.   ORDER
                                                            14-CR–89

KARONE JOHNSON, et al

                              Defendants.

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        This case was referred to Magistrate Judge Jeremiah J. McCarthy for

supervision of all pretrial proceedings. Defendant Karone Johnson is charged,

along with co-defendant Stacy Samuels, with conspiracy to possess with intent to

distribute and to distribute methamphetamine, conspiracy to export

methamphetamine, possession with intent to distribute methamphetamine and

attempt to export methamphetamine. Defendant Johnson filed a motion to

suppress all communications intercepted pursuant to a Canadian wiretap. The

Government filed a response in opposition to defendant's motion.

        On June 9, 2015, Magistrate Judge McCarthy issued a Report and

Recommendation recommending that defendant Johnson's motion for

suppression be denied. (Dkt. No. 69) On June 17, 2015, defendant filed

objections to the Report and Recommendation. (Dkt. No. 70) The Government

filed a response. (Dkt. No. 72) The Court considered the matter submitted at the

conclusion of oral argument on August 8, 2015.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a *de novo* determination of those portions of the Report and Recommendation to which objections have been made. Upon *de novo* review and after reviewing the submissions of the parties and hearing oral argument, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendant's motion to suppress evidence is denied. The parties are to appear before the Court for a status conference and meeting to set a trial date on Friday, September 11, 2015 at 9:00 a.m.[1]

SO ORDERED.

_____*Richard J. Arcara*_____
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: September 9, 2015

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[1] On May 4, 2015, this Court issued an Order adopting the Magistrate Judge's Report and Recommendation to deny co-defendant Samuels' motion to suppress. (Dkt. No. 65)